



U.S. Department of Justice

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December 30, 2008

Hon. Peter G. Sheridan, U.S.D.J.
Attention: Dolores
United States District Court
Martin Luther King Jr. Federal Building
and United States Courthouse
50 Walnut Street
Courtroom 4A, Chambers 4062
Newark, New Jersey 07102

Re: United States v. Michel Fernandez
Civ. No. 08-5843 (PGS)

Dear Judge Sheridan:

Please allow this letter to confirm my request for an extension upon which to file the government's response and opposition to the defendant's motion, pursuant to Title 28, United States Code, Section 2255. The government is awaiting the transcript of the plea hearing in this case. In that hearing, the defendant specifically waived his rights, under certain circumstances, to bring this motion. The government anticipates receipt of the transcript in mid-January and therefore requests that its opposition and response be filed on or about January 30, 2009. Defense counsel has been contacted and does not oppose the requested extension. If the proposed extension is acceptable, the government requests that Your Honor file an order granting same.

Respectfully submitted,

RALPH J. MARRA
Acting United States Attorney

s/Jenny Kramer

By: Jenny Kramer
Assistant U.S. Attorney

cc: Alberto Rivas Esq. (via electronic filing)

SO ORDERED:

DATED:

[Signature] 1
12/31/08